

HOUSE BILL 322

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 21; Section 55-50-302 and Title 55, Chapter 9, Part 6, relative to the transportation of students.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 21, is amended by adding the following as a new, appropriately designated section:

(a) Each LEA and charter school, and charter management organization as applicable, that provides or contracts for transportation services shall appoint a transportation supervisor responsible for the monitoring and oversight of transportation services for the district or school.

(b) Each transportation supervisor shall complete a student transportation management training program developed jointly by the departments of safety and education upon being appointed and, thereafter, shall complete a minimum of four (4) hours of annual training approved by those departments; provided, that the annual training shall not be required in the same year the management training program is completed.

(c) By February 15, 2018, each LEA and charter school, and charter management organization as applicable, shall submit to the department of education the name of the transportation supervisor. By August 15 of each school year thereafter, each LEA and charter school, and charter management organization as applicable, shall submit to the department the name of the transportation supervisor and verification that the transportation supervisor has completed the training required under subsection (b).

The department must be promptly notified of any change in transportation supervisor that occurs during the school year.

(d) Every local board of education and charter school governing body shall adopt a transportation policy relative to the safe transport of students. This policy shall include:

(1) A procedure for students, parents, teachers and staff, and the community to report school bus safety complaints;

(2) A procedure for the transportation supervisor to investigate any complaint of a safety violation or concern, such that:

(A) The investigation is commenced within twenty-four (24) hours of receipt;

(B) Within forty-eight (48) hours of receipt of a complaint, a preliminary report is issued to the director of schools that includes the time and date of receipt of the complaint, a copy or summary of the complaint, the school bus driver involved, and any prior complaints or disciplinary actions taken against the driver; and

(C) Within sixty (60) school days of receipt of a complaint, a final report is issued to the director of schools in writing that includes any findings of the investigation and any action taken by the transportation supervisor in response to the complaint;

(3) A requirement that each school bus serving the district or charter school be equipped with the phone number for reporting complaints on the rear bumper;

(4) A process to provide annual notice to students and parents regarding the process for reporting complaints; and

(5) A policy or procedure for the collection and maintenance of the following records, regardless of whether transportation services are provided directly by the LEA or charter school or via contractual agreement as authorized under § 49-6-2101(d):

- (A) Bus maintenance and inspections;
- (B) Bus driver credentials, including required background checks, health records, and performance reviews;
- (C) Driver training records; and
- (D) Complaints received and any records related to the investigation of those complaints.

(e) As part of its responsibilities related to student transportation, the department of education shall, at a minimum:

- (1) Develop and deliver, in collaboration with the department of safety, the student transportation management training program required under subsection (b);
- (2) Establish, in collaboration with the department of safety, a system for monitoring district and charter school compliance with all applicable state and federal laws regarding student transportation services; and
- (3) Prepare, in collaboration with the department of safety, and annually update and disseminate guidelines on best practices for the management of student transportation services.

SECTION 2. Tennessee Code Annotated, Section 49-6-2107, is amended by adding the following language as a new subsection:

() Prior to transporting students, new school bus drivers shall complete a school bus driver training program based on standards established by the departments of education and safety. Such standards shall, at a minimum, address student management, distracted driving, school and district policy, driving techniques, evacuations, loading and unloading, mirror usage, and state and federal law regarding the use and driving of a school bus.

SECTION 3. Tennessee Code Annotated, Section 55-50-302(d), is amended by deleting the subsection in its entirety and substituting instead the following language:

(d) The department shall not issue an initial school bus endorsement to any applicant unless:

- (1) The applicant is at least twenty-five (25) years of age;
- (2) The applicant has had at least five (5) consecutive years of unrestricted driving experience prior to the date of application; and
- (3) The department is fully satisfied as to the applicant's good character, competency, and fitness to be so employed.

SECTION 4. This act shall take effect January 1, 2018, the public welfare requiring it.